

Message Text

LIMITED OFFICIAL USE

PAGE 01 SEOUL 06999 090813Z
ACTION EA-12

INFO OCT-01 ISO-00 L-03 OPIC-03 H-01 EB-08 COME-00
TRSE-00 OMB-01 CIAE-00 INR-10 NSAE-00 /039 W
-----010267 092022Z /15
R 090744Z AUG 78
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC 2777

LIMITED OFFICIAL USE SEOUL 6999

E.O. 11652: N/A
TAGS: BDIS, KS, US
SUBJ: CONGRESSIONAL INTEREST IN LOGO 7/BUM CHANG TRADE DISPUTE

REF: A) STATE 197705, B) SEOUL 4882, C) SEOUL 3558

1. EMBOFF CONSULTED MR LEE KI WHAN, LOCAL AGENT FOR LOGO 7 AS WELL AS MINISTRY OF COMMERCE AND INDUSTRY (MC) SECOND EXPORT DIVISION DIRECTOR CHUNG HAE-JOO RE STATUS OF LOG 7/ BUM CHANG DISPUTE. STATUS REMAINS UNCHANGED FROM THAT REPORTED REFTEL (B).

2. BUM CHANG WILL NOT REPEAT NOT RECOGNIZE THAT IT MIGHT BE AT FAULT FOR NON-COMPLETION OF THE ORDER OR THAT LOGO 7 HAS A BASIS FOR A CLAIM AGAINST IT. MCI HAS NO REPEAT NO LEGAL AUTHORITY TO INTERVENE; HOWEVER, IF A CONTRACT CAN BE PRESENTED INDICATING MUTUAL AGREEMENT BETWEEN LOGO 7 AND BUM CHANG TO SUBMIT ANY DISAGREEMENT TO ARBITRATION, MCI COULD FORWARD THE ISSUE TO THE KOREA COMMERCIAL ARBITRATION COMMISSION AND ATTEMPT TO ENFORCE WHATEVER DECISION WERE TAKEN BY THAT BODY. REFTEL (B) SUGGESTED THAT MR SHINE WRITE TO DIRECTOR CHUNG TO PRESENT RELEVANT INFORMATION AND DOCUMENTATION. LOGO 7 DOES NOT APPEAR TO HAVE YET TAKEN UP THAT SUGGESTION.

3. MCI OFFICIALS NOTED THAT, IN THE ABSENCE OF ANY EVIDENCE
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 SEOUL 06999 090813Z

OF AGREEMENT TO ARBITRATION WITH BUM CHANG, THEY BELIEVE THAT LOGO 7'S ONLY RECOURSE WOULD BE TO ENTER INTO LITIGATION IN THE KOREAN COURTS. (BUM CHANG APPEARS TO HAVE NO REPEAT NO ASSETS IN THE US AND THEREFORE, WERE A US COURT TO ACCEPT JURISDICTION, ANY JUDGMENT AGAINST BUM CHANG COULD BE EXPECTED TO BE UNENFORCEABLE.)

4. NEITHER EMBASSY NOR MCI IS AWARE OF ANY RELATIONSHIP OF NATIONAL ASSEMBLY COMMERCE AND INDUSTRY COMMITTEE CHAIRMAN MOON TAI-JOON WITH EITHER LOGO 7, ADICH KOREA OR BUM CHANG, NOR OF ANY BASIS FOR CONSIDERING MOON TO BE "THE KEY TO SETTLING" ANY COMMERCIAL OR LEGAL DISPUTE. THEREFORE, IN THE ABSENCE OF ANY INFORMATION ABOUT THE POSSIBLE INVOLVEMENT OF CHAIRMAN MOON, WE WOULD JUDGE THAT DIRECT CONTACT BY SENATOR BAYH WOULD BE INEFFECTIVE.

5. AS SUGGESTED REFTEL (C), THE DISPUTE OF LOGO 7 WITH BUM CHANG IS BEYOND ANY LEGISLATIVE OR EXECUTIVE ARBITRATION AND IS INSOLUBLE EXCEPT BY RESORT TO LITIGATION IN THE COURT SYSTEM HAVING APPROPRIATE JURISDICTION. HOWEVER, WE WOULD BE INTERESTED IN LEARNING THE RATIONALE MR SHINE OFFERED FOR RECOMMENDING CHAIRMAN MOON AS MEDIATOR.
GLEYSTEN

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 09 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SEOUL06999
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780326-0486
Format: TEL
From: SEOUL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780882/aaaacqom.tel
Line Count: 78
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 1ae1ea65-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 STATE 197705, 78 SEOUL 4882, 78 SEOUL 3558
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1791152
Secure: OPEN
Status: NATIVE
Subject: CONGRESSIONAL INTEREST IN LOGO 7/BUM CHANG TRADE DISPUTE
TAGS: BDIS, KS, US
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/1ae1ea65-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014